

Kerry W. Ingle  
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August 1, 2006

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AUG 2 2006

PUBLIC SERVICE  
COMMISSION

John J. Miranda  
8712 Stockport Road  
Louisville, Kentucky 40222-5636

**RE: *Application of Cumberland Cellular Partnership ("Bluegrass Cellular") for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Alligator) in Rural Service Area #5 (Russell) of the Commonwealth of Kentucky - Case No. 2006-00052***

Dear Mr. Miranda:

The purposes of this letter are to confirm our telephone conversation of Tuesday, July 25, 2006 between you, Doug Updegraff and Lee Hill of Bluegrass Cellular, and me, and to respond to your letter filed with the Public Service Commission of the Commonwealth of Kentucky (the "Commission"), on or about July 21, 2006, a copy of which is enclosed for your convenience.

In your July 21<sup>st</sup> letter, you informed the Commission that you and Bluegrass Cellular had reached an agreement pursuant to which you and or the residents of Alligator Cove would support Bluegrass Cellular's construction of the Alligator cell site.

Respectfully, no such agreement has been reached.

To be clear, Bluegrass Cellular responds to the demands of your July 21<sup>st</sup> letter as follows.

- (1) Bluegrass Cellular, at its expense, will plant 12 evergreen pine or spruce trees along that part of Missionary Road that is adjacent to the proposed cell site.
- (2) Bluegrass Cellular cannot agree to the purchase and placement of the stone pillars, as described in your July 21<sup>st</sup> letter, at the entrance of Cove Road.

(3) Bluegrass Cellular, at its expense, will plant evergreen pine or spruce trees around the proposed cell tower facility compound.

In summary, Bluegrass Cellular is willing to do (1) and (3), but not (2).

Thank you, and if you have any questions with respect to this matter, please call me or John E. Selent at the number above.

Very truly yours,

A handwritten signature in black ink that reads "Kerry W. Ingle" followed by a stylized monogram or initials.

Kerry W. Ingle, Paralegal

JES/kwi

cc: Dale Wright, Esq., Staff Counsel  
Kentucky Public Service Commission  
Amy Dougherty, Esq., Staff Counsel  
Kentucky Public Service Commission  
Scott McCloud  
Doug Updegraff  
Lee Hill  
David and Gabrielle Gnadinger  
John E. Selent, Esq.



P.O. Box 43957

Louisville, KY 40253

Phone 502-245-0543

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July 19, 2006

Executive Director's Office  
Public Service Commission of Kentucky  
PO Box 615  
Frankfort, KY 40602

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JUL 21 2006

PUBLIC SERVICE  
COMMISSION

RE: Case Number 2006-00052

Dear Sir:

The purpose of this letter is to notify you that I, as a representative of Alligator Cove (the group of lake homes across Missionary Drive from the proposed cell tower), have been talking with representatives of Bluegrass Cellular and reached an agreement with regards to the proposed construction of the cell tower as referenced above.

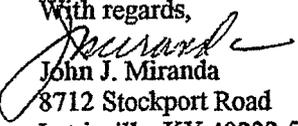
Bluegrass Cellular has agreed to the following mitigating conditions (I have received some bids for the work - in parenthesis):

1. Plant 12 evergreen Pine or Spruce trees along the property line on the Alligator Cove side of Missionary Road to help screen the residents' homes from the cell tower. (estimated cost: \$2,000),
2. Construct two 3' square by six foot tall (3'x 6') stone pillars at the entrance to Cove Road in order to deflect attention away from the cell tower and toward the lake homes on the other side of Missionary Road (estimated cost: \$7,000),
3. Plant evergreen Pine or Spruce trees along the privacy fence around the tower to buffer the area as per PSC request.

We are asking for your help to make sure that there is some sort of binding agreement that the above will be completed within 90 days of final approval of the cell tower project by the PSC. If desired, I can oversee the above two projects provided I am able to have Bluegrass Cellular pay for those costs associated with the work.

Assuming Bluegrass Tower is in agreement with the above mitigating conditions, then we are in support of the cell tower. Thank you.

With regards,

  
John J. Miranda  
8712 Stockport Road  
Louisville, KY 40222-5636

Cc: Allen McGimsey  
Project Manager  
Bluegrass Cellular  
2902 Ring Road  
Elizabethtown, KY 42701

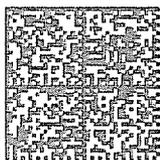
Mr. Kerry Ingle  
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203 Dowell Road  
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**Dinsmores & Shohl**  
ATTORNEYS LLP

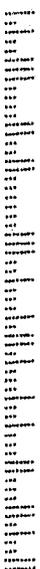
**Dale Wright**  
*Kentucky Public Service Commission*  
P. O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602-0615



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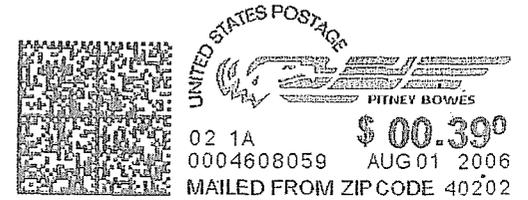
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Louisville, KY 40202

**Dinsmore & Shohl** LLP  
ATTORNEYS



**Amy E. Dougherty Esq.**  
*Kentucky Public Service Commission*  
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